REMARKS

The Office action mailed on 8 September 2004 (Paper No. 6) has been carefully considered. The allowance of claims 5 thru 15 as stated in paragraph 5 is appreciated. It should be noted that, in view of their dependency, claims 16 thru 20 should have also been allowed.

The specification and Abstract are being amended to correct minor errors and improve form. Claim 3 is being canceled without prejudice or disclaimer, claims 1, 2, 4 thru 11, 13 thru 17, 19 and 20 are being amended, and new claim 21 is being added. Thus, claims 1, 2 and 4 thru 21 are pending in the application.

It should be noted that allowed claims 5 thru 20 are being amended for the purpose only of improving form. Thus, claims 5 thru 20 should remain in condition for allowance.

In paragraph 1 of the Office action, the Examiner objected to the specification because it includes a "Claim of Priority" section, and required deletion of that section. Applicants respectfully traverse the Examiner's requirement to remove the "Claim of Priority" section from the specification.

First, it is noted that the present application was filed in the U.S. Patent & Trademark Office on 24 November 2000, based upon a Korean priority application Serial No. 1999-

52350 filed in the Korean Industrial Property Office on 24 November 1999. Pursuant to 35 U.S.C. §119, the Applicants of the present application are entitled to claim the benefit of foreign priority based on Korean priority application Serial No. 1999-52350 filed on 24 November 1999.

Second, the Examiner's attention is directed to 37 C.F.R. §1.55(a) which states that:

> "An applicant in a non-provisional application may claim the benefit of the filing date of one or more prior foreign applications under the conditions specified in 35 U.S.C. 119(a) through (d) and (f), 172, and 365(a) and (b)."

Also, §201.14(b) of the *Manual of Patent Examining Procedure* (MPEP) states that:

> "For all applications, the claim to priority need be in no special form, and may be made by a person authorized to sign correspondence under 37 CFR1.33(b). No special language is required in making the claim for priority, and any expression which can be reasonably interpreted as claiming the benefit of the foreign application is accepted as the claim for priority."

In the present application, the "Claim of Priority" section identifies "the foreign application for which priority is claimed by specifying the application number, country (or intellectual property authority), day, month, and year of its filing" (MPEP §201.14(b)).

Furthermore, the MPEP expressly requires that, where appropriate, the first section of the application contain a reference to a related application, such as a parent of a continuation or continuation-in-part application (*see* MPEP §601 and 37 C.F.R.

§1.78(a)(iv)(2)). In this case, the Korean priority application is clearly a "related application" since priority is being claimed on the basis of the Korean application. Thus, it is entirely appropriate, and even required by the MPEP, that the reference to the related priority application be included in the first paragraph or first section of this application.

Finally, the undersigned attorney typically files hundreds of Korean-origin applications in the U.S. Patent & Trademark Office each year. All (or virtually all) of the U.S. applications claim priority from Korean applications and thus contain a first paragraph relating to the priority claim. Prior to this, no U.S. Examiner has maintained objection to the first paragraph of such applications, and invariably the applications issue as U.S. patents with the first paragraph reciting the priority claim intact.

In view of the above, withdrawal of the Examiner's requirement to delete the "Claim of Priority" section from the specification is respectfully requested.

In paragraph 3 of the Office action, the Examiner rejected claims 1, 2 and 4 under 35 U.S.C. §103 for alleged unpatentability over Takei *et al.*, U.S. Patent No. 6,002,674 in view of Davison (Network Working Group, Request for Comments: RFC 2603). In paragraph 4 of the Office action, the Examiner objected to claim 3 for dependency upon a rejected base claim, but the Examiner stated that claim 3 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. For the

reasons stated below, it is submitted that the invention recited in the claims, as now amended, is distinguishable from the prior art cited by the Examiner so as to preclude rejection under 35 U.S.C. §103.

The object of the present invention is to provide a method for restricting overflooding due to the fact that the asynchronous transfer mode switch regards connection/reconnection as a significant change, and performs a synchronization process on every switch belonging to the same peer group, when an unstable asynchronous transfer mode (ATM) terminal attempts to register its address in an asynchronous transfer mode switch through an interim local management interface (ILMI) protocol. In order to achieve the object, the present invention determines whether the ATM terminal is stable or not according to the result of comparing connection time with reconnection time during address registration.

On the other hand, the object of Takei *et al.* '674 is to provide a network control system which prevents system performance degradation caused by generating/updating routing information. In order to achieve the object, Takei *et al.* '674 discloses the determination of whether the network control system is stable or not according to whether routing information is changed or not.

Accordingly, although the present invention appears somewhat similar to the Takei *et al.* '674 reference in determining whether the current status is stable or not, the object,

composition and effect of the present invention are completely different from those of the cited reference.

The present invention discloses comparing a time value, determined by subtracting a last disconnect time from a current time, with a preset maximum tolerant time, whereas the cited reference merely discloses the determination, by means of a timer, as to whether a predetermined time interval has passed.

Furthermore, in the present invention, when the time value is less than a preset maximum tolerant time value, the ATM terminal is determined to be not stable. In contrast, Takei *et al.* '674 discloses that, when the timer is within the predetermined time interval, the network control system is determined to be stable.

More specifically, the present invention is remarkably different from the disclosure of Takei *et al.* '674 in that, in the invention, when a first time value is less than a second time value, the ATM terminal is determined to be not stable. In other words, the present invention separately calculates a current time and a last disconnect time, and determines whether the current status is stable or not according to the result thereof.

Furthermore, according to the present invention, when the ATM terminal is not stable, the ATM terminal does not apply a private network-to-network interface protocol, and

thereby it does not perform routing. On the other hand, Takei *et al.* '674 merely discloses that, if there is no change in routing information, the ATM network is determined to be stable.

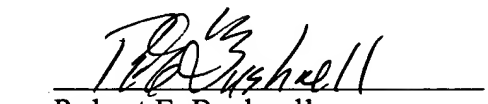
Finally, the present invention also provides a method of determining the status of an ATM terminal to be stable in accordance with the above.

Turning to consideration of rejected independent claim 1, that claim is being amended to recite the subject matter contained in allowable dependent claim 3, which is being canceled. Thus, amended independent claim 1 and associated dependent claims 2, 4 and 21 should now be in condition for allowance.

In view of the above, it is submitted that the claims of this application are in condition for allowance, and early issuance thereof is solicited. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's attorney.

No fee is incurred by this Amendment.

Respectfully submitted,



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